

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD TURNER, ) No. C 13-3529 JSW (PR)  
13 Plaintiff, )  
14 v. ) **ORDER OF DISMISSAL**  
15 RICHARD FLIER, et al., )  
16 Defendants. )  
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On July 30, 2013, Plaintiff, a California prisoner, filed a pro se civil action in this Court. On the same day, the Clerk notified Plaintiff that he had neither paid the filing fee nor filed an application to proceed in forma pauperis (“IFP”). Along with the notice, the Clerk mailed to Plaintiff the Court’s IFP forms, instructions for completing the forms, and a stamped return envelope. In the notice, Plaintiff was informed that the case would be dismissed if he did not either pay the filing fee or file an IFP application within thirty days. The notice was sent to Plaintiff at the address he provided to the Court, but on October 27, 2013, it was returned by the postal service as undeliverable because Plaintiff was not located at that address. There was a notation on the envelope that Plaintiff was no longer in custody at that time.

Local Rule 3.11 requires Plaintiff to notify the Court of any change in his address,

1 and that his failure to do so within sixty days of a change of address will result in the  
2 dismissal of the action. Plaintiff has not provided the Court with a correct address within  
3 sixty days of the date the mail was returned as undeliverable. Accordingly, this case is  
4 DISMISSED without prejudice.

5 The Clerk shall enter judgment and close the file.

6 IT IS SO ORDERED.

7 DATED: November 15, 2013

  
8 JEFFREY S. WHITE  
9 United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

EDWARD TURNER,

Case Number: CV13-03529 JSW

Plaintiff,

## **CERTIFICATE OF SERVICE**

V.

RICHARD FLIER et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 18, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Edward Turner  
901 Court Street  
#2001011217  
Martinez, CA 92179

Dated: November 18, 2013

*Jennifer Ottolini*  
Richard W. Wiking, Clerk  
By: Jennifer Ottolini, Deputy Clerk

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